



Journal of the Senate

State of Indiana

115th General Assembly

First Regular Session

Third Meeting Day

Tuesday Afternoon

January 9, 2007

The Senate convened at 1:32 p.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President Pro Tempore of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Boots	Meeks <input checked="" type="checkbox"/>
Bowser	Merritt
Bray	Miller
Breaux	Mishler
Broden	Mrvan
Deig	Nugent
Delph	Paul
Dillon	Riegsecker
Drozda <input checked="" type="checkbox"/>	Rogers
Errington	Simpson
Ford	Sipes
Gard	Skinner
Heinold	Smith
Hershman	Steele
Howard <input checked="" type="checkbox"/>	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 3: present 47; excused 3. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 145, has had the same under consideration and begs leave to report the same

back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-33-2-11.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 11.7. "Incentive payment" means any payment that an operating agent or a holder of an owner's license is required to make under a development agreement.**

SECTION 2. IC 4-33-4-23, AS ADDED BY P.L.199-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 23. (a) An operating agent or a person holding an owner's license must report annually to the commission the following:**

(1) The total dollar amounts and recipients of incentive payments made.

(2) Any other items related to the payments described in subdivision (1) that the commission may require.

(b) The commission shall prescribe, with respect to the report required by subsection (a):

(1) the format of the report;

(2) the deadline by which the report must be filed; and

(3) the manner in which the report must be maintained and filed.

(c) **The recipients of incentive payments shall report annually to an operating agent or a person holding an owner's license the following:**

(1) **a verified accounting of all accounts associated with incentive payments received;**

(2) **an itemized list of all disbursements of incentive payments made to any person exceeding \$5,000 in the aggregate during the prior reporting period that includes:**

(A) the legal name of the recipient;

(B) the date of each disbursement;

(C) the amount of each disbursement; and

(D) the purpose of each disbursement.

(d) **The recipients of incentive payments shall submit the reports required by subsection (c) at least thirty (30) calendar days prior to the deadline prescribed by the commission in subsection (b).**

(e) **An operating agent or person holding an owner's license shall include as an appendix to the reports required by subsection (a) the reports submitted by the recipients of incentive payments prescribed in subsection (c).**

(f) An operating agent or person holding an owner's license shall withhold incentive payments for the following reasons:

(1) the reports required by subsection (c) are incomplete;

(2) the reports required by subsection (c) are inaccurate; or

(3) the commission determines that incentive payments are not benefitting the economic development of the geographic area intended.

(g) The commission shall post to the world wide web, in a location and format easily accessible to the public, the reports required by this section.

(Reference is to SB 145 as introduced.)
and when so amended that said bill be reassigned to the Senate Committee on Commerce, Public Policy and Interstate Cooperation.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 165, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, reset in roman "(a)".

Page 1, reset in roman lines 15 through 16.

Page 1, line 17, reset in roman "a qualified Indiana business after December 31,".

Page 1, line 17, after "2008." insert "**2012**."

Page 1, line 17, reset in roman "However, this".

Page 2, reset in roman line 1.

Page 2, line 2, reset in roman "over to a taxable year beginning after December 31,".

Page 2, line 2, after "2008," insert "**2012**,".

Page 2, line 2, reset in roman "an unused".

Page 2, reset in roman line 3.

Page 2, line 4, after "2009." insert "**2013**."

(Reference is to SB 165 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 132, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 9.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as coauthor of Senate Bill 165.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Nugent be added as coauthor of Senate Bill 18.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Senate Bill 172.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Heinold be added as second author and Senator Landske be added as coauthor of Senate Bill 138.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Senate Bill 173.

JACKMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as coauthor of Senate Bill 45.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as coauthor of Senate Bill 42.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senate Bill 92, assigned to the Senate Committee on Appropriations, be withdrawn from further consideration by the Senate.

LANDSKE

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 11:00 a.m., Thursday, January 11, 2007.

LAWSON

Motion prevailed.

The Senate adjourned at 1:48 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate